REMARKS

This preliminary amendment is filed in order to facilitate processing of the above-identified application. In particular, new claims 13 to 24 have been added and are directed to Figures 24-28.

Thus it now appears that the application is in condition for reconsideration and allowance. Reconsideration and allowance at an early date are respectfully requested.

If for any reason Examiner feels that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed within the currently set shortened statutory period, applicants respectfully petition for an appropriate extension of time. The fees for such extension of time may be charged to our Deposit Account No. 02-4800.

In the event that any additional fees are due with this paper, please charge our Deposit Account No. 02-4800.

Respectfully submitted,

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Date: January 10, 2002

Attachment to Preliminary Amendment dated January 10, 2002
Mark-Up of Claims 2 and 3

2. (Amended) [The] A semiconductor device [in accordance with claim 1] comprising:

an active area being provided with at least one MOS transistor; and

an insulating film defining said active area, wherein

said active area is set in a shape having a concave part in a shape along a plan view,

said active area is provided with:

an ordinary region, and

a depressed region having an edge portion being depressed beyond said ordinary region due to presence of said concave part,

said at least one MOS transistor includes:

a first MOS transistor being formed on said depressed region, and

a second MOS transistor being formed on said ordinary region, and

a length of a margin part of a first gate electrode constructing said first MOS transistor in said depressed region is set to be larger than that of a margin part of a second gate electrode constructing said second MOS transistor in said ordinary region, wherein a length of the margin part of the second gate electrode is X, the length of the margin part of the first gate electrode is $X + \alpha$ where $0 < \alpha \leq X$, wherein

said concave part is formed on a corner portion of said active area, and

Attachment to Preliminary Amendment dated January 10, 2002
Mark-Up of Claims 2 and 3

the length of said margin part of said first gate electrode is set at the total of the length of said margin part of said second gate electrode and a length being equal to a depression length in said concave part.

3. (Amended) [The] A semiconductor device [in accordance with claims 1] comprising:

an active area being provided with at least one MOS transistor; and

an insulating film defining said active area, wherein

said active area is set in a shape having a concave part in a shape along a plan view,

said active area is provided with:

an ordinary region, and

a depressed region having an edge portion being depressed beyond said ordinary region due to presence of said concave part,

said at least one MOS transistor includes:

a first MOS transistor being formed on said depressed region, and

a second MOS transistor being formed on said ordinary region, and

a length of a margin part of a first gate electrode constructing said first MOS transistor in said depressed region is set to be larger than that of a margin part of a second gate electrode constructing said second MOS transistor in said ordinary region, wherein a length of the margin part of the second gate electrode is

Attachment to Preliminary Amendment dated January 10, 2002
Mark-Up of Claims 2 and 3

X, the length of the margin part of the first gate electrode is $X + \alpha$ where $0 < \alpha \leq X$, wherein

said concave part is formed on a corner portion of said active area, and

the length of said margin part of said first gate electrode is set at the total of:

the length of said margin part of said second gate electrode, and

the length of a portion between said edge portion of said depressed region and an intersection between a virtual line being set to connect first and second convex corner portions of said active area in said concave part and said first gate electrode.